

Salad dressing. Adulteration, Section 402 (b) (1), a valuable constituent of the article, vegetable oil, had been in part omitted; and, Section 402 (b) (2), a product containing, among other things, sodium benzoate and less than 30 percent by weight of vegetable oil, had been substituted for salad dressing. Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for salad dressing since it contained less than 30 percent by weight of vegetable oil, the minimum permitted by the definition and standard, and the article contained also a chemical preservative, sodium benzoate, which is not permitted as an optional ingredient of salad dressing in the definition and standard.

French dressing. Adulteration, Section 402 (b) (1), a valuable constituent of the article, namely, vegetable oil, had been in part omitted; and, Section 402 (b) (2), a product containing, among other things, starch, sodium benzoate, and less than 35 percent by weight of vegetable oil had been substituted for french dressing. Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for french dressing since it contained less than 35 percent by weight of vegetable oil, the minimum permitted by the definition and standard, and the article contained also starch and a chemical preservative, namely, sodium benzoate, which are not permitted as optional ingredients of french dressing in the definition and standard.

Vinegar. Adulteration, Section 402 (b) (2), water had been substituted in part for vinegar. Misbranding, Section 403 (a), the label statement "Vinegar Reduced with water to 40 grain" was false and misleading since it represented and suggested that the article was of 40 grain strength, whereas the article was of a strength less than 40 grains; and, Section 403 (k), the article contained a chemical preservative, sodium benzoate, and it failed to bear labeling stating that fact.

DISPOSITION: January 22, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$320.

20349. Adulteration of chili peppers and cinnamon. U. S. v. 300 Cases, etc.
(F. D. C. No. 34729. Sample Nos. 46705-L, 46706-L.)

LIBEL FILED: February 27, 1953, Western District of Texas.

ALLEGED SHIPMENT: The chili peppers were shipped on or about November 25, 1952, from Los Angeles, Calif., and the cinnamon was shipped during the six months preceding the filing of the libel, from foreign countries.

PRODUCT: 300 25-pound cases of chili peppers and 2,000 pounds of cinnamon at San Antonio, Tex., in the possession of the Aviation Coffee Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence in the chili peppers of rodent-gnawed chili pods, rodent excreta, and rodent hairs, and by reason of the presence in the cinnamon of rodent excreta and insects; and, Section 402 (a) (4), the articles had been held under insanitary conditions whereby they may have become contaminated with filth. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 21, 1953. Default decree of condemnation and destruction.

20350. Adulteration of hulled sesame seed. U. S. v. 9 Bags * * *. (F. D. C. No. 34556. Sample No. 20283-L.)

LIBEL FILED: January 20, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about September 14, 1951, from Elmhurst, N. Y.

PRODUCT: 9 101-pound bags of hulled sesame seed at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 27, 1953. A default decree was entered ordering that the product be denatured for use as animal feed or be destroyed.

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PRODUCTS

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Beans, dried..... ¹	20314	Olives, stuffed.....	20325
Beverages and beverage mate- rials.....	20301- 20305, 20332-20336, 20348	Peanut(s) butter.....	20341, 20342
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Chili peppers..... ¹	20314, 20349	Popcorn, candied.....	20307
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Muenster cheese.....	20319	Vegetables. <i>See</i> Fruits and vege- tables.	
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		Wheat.....	20315, 20316

¹ (20314) Injunction issued.

² (20313) Prosecution contested.

³ (20339) Contains order of the court. Action for declaratory judgment and injunction dismissed.